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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,556

10/18/2006

Robert Peter Scholl

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09/23/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

WILLIAMS, JOSEPH L

ART UNIT

PAPER NUMBER

2889

MAIL DATE

DELIVERY MODE

09/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/573,556	Applicant(s) SCHOLL ET AL.	
	Examiner Joseph L. Williams	Art Unit 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/18/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 8, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Katase et al. (US 6,362,565), of record by the Applicant.

Regarding claim 1, Katase ('565) teaches throughout the text a low-pressure gas discharge lamp that comprises, in a gas-discharge vessel, one or more inert gases as a buffer gas or gases, an indium halide and means for producing and maintaining a low-pressure gas discharge, characterized in that the indium halide is present as a monohalide and present in addition is a means that binds oxygen and water.

Regarding claim 2, Katase ('565) teaches the means that binds oxygen and water binds oxygen and the oxygen in water more strongly, and halogen more weakly, than indium does.

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Regarding claim 3, Katase ('565) teaches that indium, gallium, germanium, boron, molybdenum and/or tungsten is present as the means that binds oxygen and water.

Regarding claim 4, Katase ('565) teaches an inert gas from the group helium, neon, argon, krypton and/or xenon as a buffer gas.

Regarding claim 5, Katase ('565) teaches capacitive means for excitation and maintaining a low pressure discharge comprising at least one external electrode and means for maintaining a high frequency alternating field.

Regarding claim 8, Katase ('565) teaches an inductive means for excitation and maintaining a low pressure discharge selected from the group comprising coils and antenna and means for maintaining a high frequency alternating field.

Regarding claim 9, Katase ('565) teaches a low pressure discharge lamp.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 7, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katase et al. (US 6,362,565) in view of Golkowski et al. (US 6,628,079).

Regarding claim 6, Katase ('565) teaches all of the claimed limitations except for the internal electrode being made from high-melting material.

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Further regarding claim 6, Golkowski ('079) teaches a low pressure lamp comprised of, in part, an internal electrode made of tungsten (a high-melting material) for the purpose of improving the field enhancement inside the discharge lamp.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the internal electrode of Golkowski in the lamp of Katase for the purpose of improving the field enhancement inside the discharge lamp.

Regarding claim 7, Golkowski ('079) teaches the internal electrode is made of a material of low work function (read tungsten).

The reason for combining is the same as for claim 6 above.

Regarding claim 10, Katase ('565) teaches all of the claimed limitations except for the claimed intended use.

Further regarding claim 10, Golkowski ('079) teaches the lamp is used in a UV device for the purpose of providing an efficient light source.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the light source of Katase in the UV lamp of Golkowski for the purpose of providing an efficient light source.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh-Toan Ton can be reached on (571) 272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph L. Williams/
Primary Examiner, Art Unit 2889